

Notice of Allowability

Application No.

10/616,305

Examiner

Jeffrey T. Barton

Applicant(s)

TANIKE ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 11 April 2005.
2. ☒ The allowed claim(s) is/are 1-6, 8-11 and 13-16.
3. ☒ The drawings filed on 10 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 20050225
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20050610
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alex Chan on 10 June 2005.

The application has been amended as follows:

In the claims:

- a. In claim 1 at line 12, please insert the phrase -- on the second extension portion-- after the word "outside".
- b. In claim 5 at line 3, please replace the word "length" with the word --width-- after the phrase "in said".
- c. In claim 8 at line 1, please replace the word "sensor" with --biosensor-- after the phrase "comprising a".
- d. In claim 8 at line 3, please replace the word "sensor" with --biosensor-- after the phrase "wherein said".
- e. In claim 8 at line 6, please replace the word "sensor" with --biosensor-- after the phrase "in said".
- f. In claim 8 at line 8, please replace the word "sensor" with --biosensor-- at the start of the line.

- g. In claim 11 the end of the claim, please insert the phrase --; and wherein said first base plate of said biosensor comprises a first electrode and a first lead provided thereon, said first lead being connected to said first electrode; said second base plate comprises a second electrode and a second lead provided thereon, said second lead being connected to said second electrode; and said first and said second electrodes are opposed to each other, wherein said first base plate comprises a first extension portion which extends in a length direction of said first base plate from a position corresponding to an end of said second base plate in its length direction, and has at least a part of said first lead exposed to outside, and wherein said second base plate comprises a second extension portion which extends in a width direction of said second base plate from a position corresponding to an end of said first base plate in its width direction, and has at least a part of said second lead exposed to outside on the second extension portion.--
 - h. Please cancel claim 12.
 - i. In claim 13 at line 1, please replace the number "12" with the number --11-
- after the word "claim".
 - j. In claim 15 at line 1, please replace the number "12" with the number --11-
- after the word "claim".
2. The following is an examiner's statement of reasons for allowance:

As currently amended, both independent claims 1 and 11 incorporate limitations to a biosensor (or measuring apparatus therefor), wherein the biosensor's second base plate "comprises a second extension portion which extends in a width direction of said second base plate . . . and has at least a portion of said second lead exposed to outside on the second extension portion." None of the prior art of record teaches or fairly suggests a biosensor (or measuring apparatus therefor) with such an extension having a lead as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Jeffrey Barton, whose telephone number is (571) 272-1307. The examiner can normally be reached Monday-Friday from 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen, can be reached at (571) 272-1342. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

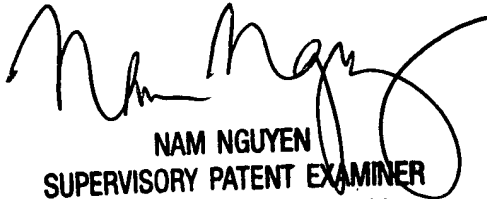
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

JTB
June 10, 2005



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